

98 1375300

Recording requested by and mail to:

Name: S. Mario Stavale
Boeing Realty Corporation
 Address: 4060 Lakewood Blvd., 6th Floor
Long Beach, CA 90808-1700

RECORDED/FILED IN OFFICIAL RECORDS
 RECORDER'S OFFICE
 LOS ANGELES COUNTY
 CALIFORNIA

2:01 PM AUG 06 1998

FEE \$ 181.00 F

***** Space Above This Line For Recorder's Use *****

MASTER COVENANT AND AGREEMENT D.A. FEE Code 20 \$ 2.00

The undersigned hereby certifies I am (we are) the owners of the hereinafter legally described real property located in the City of Los Angeles, County of Los Angeles, State of California (please give the legal description):

Tract No. 52172 (See attached for legal and sketch.)

Site Address 1414 West 190th Street

That in consideration of the approval of Case No. CPC 97-0178 (ZC) (GPA) (SPR) P.d.p. Tentative Tract No. 52172 by the City Planning Department, I (we) do hereby promise, covenant and agree to and with the City of Los Angeles and the City Planning Department of said City that to the extent of our interest, I (we): Will comply with all mitigation measures required by the final EIR No. 96-0096(SUB)(CUB)(ZV)(DA) as set forth in the approved Mitigation Monitoring and Reporting Program attached hereto and Condition Nos. 10, 11a, 11b through e, 11h through 11tt of the tract approved which are also attached hereto. And
 This covenant and agreement shall run with the land and shall be binding upon any future owners, encumbrancers, their successors, heirs or assigns and shall continue in effect until the City Planning Department of the City of Los Angeles approves its termination.

S. Mario Stavale for
Boeing Realty Corporation
 BY MARIO STAVALE (Print Name of Property Owner)

(Print Name of Property Owner)

(Signature of Property Owner)

(Signature of Property Owner)

Dated this 5th day of August 1998.

***** Space Below This Line For Notary's Use *****

ALL-PURPOSE ACKNOWLEDGMENT

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

On 8/5/98 before me, LINDA D. BRAYTON (name and title of officer), personally appeared S.M. STAVALE, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Linda D. Brayton (SEAL)
 Notary Public Signature



① CPC 97-0178 (ZC) (GPA) (SPR)
 Case No. TENTATIVE TRACT No. 52172

Condition No(s). ① A (6)
② 12

Approved for recording by [Signature]
 (Department of City Planning)

Date: 8-6-98

DESCRIPTION

1

PARCEL 1:

THAT PORTION OF RANCHO SAN PEDRO, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE WEST LINE OF THE 50-FOOT RIGHT-OF-WAY OF THE PACIFIC ELECTRIC RAILWAY COMPANY ADJOINING NORMANDIE AVENUE ON THE WEST, DISTANT NORTHERLY 780 FEET MEASURED AT RIGHT ANGLES FROM THE EASTERLY PROLONGATION OF THE NORTHERLY LINE OF LOT 9 IN BLOCK 72 OF TRACT NO. 4983, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 58 PAGES 80, ET SEQ., OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID LOS ANGELES COUNTY, AS DESCRIBED IN THAT CERTAIN DEED TO THE UNITED STATES OF AMERICA, RECORDED AS DOCUMENT NO. 1720 IN BOOK 40472 PAGE 23 OF OFFICIAL RECORDS, OF SAID LOS ANGELES COUNTY; THENCE WESTERLY ALONG THE LINE DESCRIBED IN PARCEL "A" OF SAID DEED RECORDED IN BOOK 40472 PAGE 23, OFFICIAL RECORDS, PARALLEL WITH THE NORTH LINE OF SAID LOT 9 AND ITS PROLONGATIONS, 1050 FEET; THENCE SOUTH 0 DEGREES 02 MINUTES 40 SECONDS EAST ALONG THE LINE DESCRIBED IN SAID PARCEL "A", 780 FEET; THENCE NORTH 89 DEGREES 59 MINUTES 31 SECONDS WEST ALONG THE LINE DESCRIBED IN SAID PARCEL "A" 1887.60 FEET TO THE EASTERLY LINE OF WESTERN AVENUE, 80 FEET WIDE, AS SHOWN ON RIGHT-OF-WAY, FILED IN BOOK 52 PAGE 47 OF RECORD OF SURVEYS OF SAID LOS ANGELES COUNTY; THENCE NORTH 0 DEGREES 22 MINUTES 04 SECONDS WEST 1230.35 FEET ALONG SAID EASTERLY LINE OF WESTERN AVENUE TO THE SOUTHWESTERN TERMINUS OF THAT CERTAIN COURSE DESCRIBED IN PARCEL NO. 1 OF THE QUITCLAIM DEED OF HARVEY ALUMINUM, INC., RECORDED IN BOOK D-586 PAGE 796, OFFICIAL RECORDS OF SAID LOS ANGELES COUNTY, HAVING A BEARING OF SOUTH 89 DEGREES 37 MINUTES 56 SECONDS WEST AND A DISTANCE OF 10.00 FEET; THENCE NORTH 89 DEGREES 37 MINUTES 56 SECONDS EAST 10.00 FEET; THENCE CONTINUING ALONG THE LINE DESCRIBED IN PARCEL NO. 1 OF SAID DEED, RECORDED IN BOOK D-586 PAGE 796 OF SAID OFFICIAL RECORDS, SOUTH 0 DEGREES 22 MINUTES 04 SECONDS EAST 172.51 FEET; THENCE NORTH 89 DEGREES 37 MINUTES 56 SECONDS EAST 6.55 FEET; THENCE SOUTH 0 DEGREES 22 MINUTES 04 SECONDS EAST 84.12 FEET; THENCE SOUTH 45 DEGREES 11 MINUTES 14 SECONDS EAST 158.41 FEET; THENCE NORTH 89 DEGREES 59 MINUTES 41 SECONDS EAST 960.03 FEET TO THE SOUTHWEST CORNER OF PARCEL 2 OF SAID QUITCLAIM DEED, RECORDED IN BOOK D-586 PAGE 796, OFFICIAL RECORDS; THENCE NORTH 89 DEGREES 58 MINUTES 11 SECONDS EAST ALONG THE SOUTHERLY LINE OF SAID PARCEL NO. 2, 33.60 FEET; THENCE ALONG THE EASTERLY LINE OF SAID PARCEL NO. 2, NORTH 0 DEGREES 02 MINUTES 12 SECONDS WEST 2731.90 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 403.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 39 DEGREES 15 MINUTES 34 SECONDS, A DISTANCE OF 276.14 FEET TO A POINT, A RADIAL THROUGH SAID POINT BEARS NORTH 50 DEGREES 56 MINUTES 38 SECONDS WEST; THENCE LEAVING SAID CURVE, NORTH 0 DEGREES 02 MINUTES 44 SECONDS WEST 161.13 FEET TO A POINT IN THE SOUTHERLY LINE OF 190TH STREET, 66 FEET WIDE, AS SHOWN IN BOOK 52 PAGE 47 OF RECORD OF SURVEYS OF SAID LOS ANGELES COUNTY, SAID POINT BEING THE NORTHEASTERLY CORNER OF PARCEL NO. 2 OF SAID QUITCLAIM DEED, RECORDED IN BOOK D-586 PAGE 796, OFFICIAL RECORDS; THENCE ALONG THE SOUTHERLY LINE OF 190TH STREET, NORTH 89 DEGREES 56 MINUTES 46 SECONDS EAST 1729.56 FEET TO AN INTERSECTION WITH THE WESTERLY LINE OF SAID FIRST-MENTIONED 50-FOOT RIGHT-OF-WAY OF THE PACIFIC ELECTRIC RAILWAY COMPANY; THENCE ALONG SAID WESTERLY LINE OF SAID 50-FOOT RIGHT-OF-WAY, SOUTH 0 DEGREES 02 MINUTES 40 SECONDS EAST 3232.35 FEET TO THE POINT OF BEGINNING.

2/5 date

WESTERN AVENUE

190TH STREET

NORMANDIE AVENUE

FRANCISCO ST

JON ST

203RD STREET

LINE TABLE

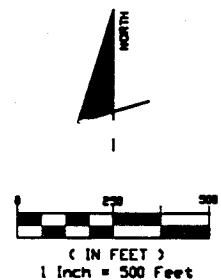
LINE	BEARING	DISTANCE
L1	N 89°36'45" E ((N 89° 37'56" E))	10.00' M & R
L2	S 00°23'15" E ((S 00° 22'04" E))	172.91' M & R
L3	N 89°36'45" E ((N 89° 36'30" E))	6.95' M & R
L4	S 00°23'15" E ((S 00°23'10" E))	84.12' M & R
L5	S 45°12'25" E ((S 45°12'20" E))	158.41' M & R
L6	S 89°36'45" E ((S 89°36'04" E))	33.00' M & R

MARTIN MARIETTA
(SITE DEMOLISHED)

CAPITAL METALS
FACILITY

BOEING REALTY CORP.
DOUGLAS PRODUCTS DIVISION
TR. NO. 52172-02 & 03

FUTURE HARBOR GATEWAY



3/5 done

11. a. The land use on-site shall be limited to that delineated in the following chart and this limitation shall be recorded in a covenant and agreement, and Development Agreement, if any. (MM)

Regardless of the project size, any changes in use and scope of the development shall be subject to Department of Transportation (DOT) review and approval. DOT will collectively evaluate the changes as a total project, not as an individual project. If such changes result in trip generation beyond the number of trips evaluated under the project traffic study, as approved by the Department of Transportation, appropriate mitigation measures shall be required. (MM).

4/5 (8 pps)
[Signature]

Tract Map No.	Lot No.	Lot Area (Sq. Ft.)	* A maximum floor area permitted by the zone and the general plan (1.5:1 sq ft)	** Proposed project (Sq. Ft.)	Parking spaces proposed
52172-01	1-12	1,760,300	2,640,450	450,000	
52172-02 to 07	1	165,000	247,500		per car
	2	165,000	247,500		
	3	165,100	247,500		
	4	165,100	247,500		
	5	165,100	247,500		
	7	165,100	247,500		
	8	144,000	216,000		
	9	113,800	170,700		
	10	80,400	120,600		
	11	80,400	120,600		
	12	80,400	120,600		
	13	80,400	120,600		
	14	80,400	120,600		
	15	154,100	231,200		
	16	346,500	519,800		
	17	279,500	419,200		
	18	253,500	380,200		
	19	234,000	351,100		
	20	258,600	387,900		
	21	87,300	130,900		
	22	87,200	130,800		
	23	88,200	132,300		
	24	94,100	141,200		
	25	262,300	393,400		
	26	250,100	375,200		
	27	238,000	357,000		
	28	237,900	356,900		
	29	238,000	356,900		
	30	92,300	138,400		
	31	91,900	137,800		
	32	92,400	138,700		
Subtotal		5,116,500		2,517,700	
TOTAL (7 Unit Maps)	44 lots	6,876,800 (approx. 158 acres)	10,313,650 (1.5:1 FAR)	2,967,700 (approx overall far 0.45:1)	

* Based on 1.5:1 FAR per Height District No. 1

- Any individual lot in Map No. 52172-02 to 07 with Floor Area Ratio (FAR) averaging can go up to 3:1 FAR, but overall floor area within the subject site shall not exceed 2,517,700 square feet, subject to Conditional use approval for lot area averaging. Buildings in lots adjacent to single-family dwellings in the southwestern portion of the site shall have a 45-foot maximum building height.
 - Includes up to 450,000 square feet of retail uses, including up to 30,000 square feet of restaurants. This first phase developments represent approximately 0.26:1 FAR.
 - Includes 507,000 square feet of office uses, and approximately 2,010,700 square feet of industrial park uses. An average FAR for these remaining phases is 0.52:1.
 - # An average FAR on the entire site is approximately 0.45:1.
-
- b. A construction relations officer shall be established by the applicant to act as a liaison with neighbors and residents concerning on-site construction activity, including resolution of issues related to PM10 (fugitive dust) generation, and on-site construction activities. If noise levels from construction activity are found to exceed 75 dBA at the property line and construction equipment is left stationary and operating for more than one day, a temporary noise barrier shall be erected between the noise source and receptor. (MM)
 - c. All construction roads within the project site that have a traffic volume of more than 50 daily trips by construction equipment, or 150 total daily trips for all vehicles, shall be surfaced with base material or decomposed granite. (MM)
 - d. Traffic speeds during construction on all unpaved roads shall not exceed 15 mph. (MM)
 - e. On-site office/industrial park development shall provide preferential parking for high occupancy vehicles and alternative fuel vehicles, as well as other forms of parking management that would encourage higher vehicle occupancy rates. (MM)

- h. In order to mitigate the inadequacy of fire protection in travel distance, sprinkler systems will be required throughout any structure to be built, in accordance with the Los Angeles Municipal Code, Section 57.09.07. (MM)
- i. Fire lane width shall not be less than 20 feet. When a fire lane must accommodate the operation of Fire Department aerial ladder apparatus or where fire hydrants are installed, those portions shall not be less than 28 feet in width. (MM)
- j. Adequate public and private fire hydrants shall be required. (MM)
- k. Where access for a given development requires accommodation of Fire Department apparatus, minimum outside radius of the paved surface shall be 35 feet. An additional six feet of clear space must be maintained beyond the outside radius to a vertical point 13 feet 6 inches above the paved surface of the roadway. (MM)
- l. The proposed project shall comply with all applicable State and local codes and ordinances, and the guidelines found in the Fire Protection and Fire Prevention Plan, as well as the Safety Plan, both of which are elements of the General Plan of the City of Los Angeles (C.P.C. 19708). (MM)
- m. Plot plans and specifications shall be submitted to the Los Angeles Fire Department for approval of and requirements regarding fire flow, hydrants, and access, and shall indicate access roads and turning areas, for necessary permits shall be satisfied prior to commencement of any portion of the proposed project. (MM)
- n. The applicant shall submit plans that show the access road and the turning area for Fire Department approval. (MM)
- o. On-site development shall conform to the standard street dimensions shown on Department of Public Works Standard Plan D-22549. (MM)
- p. During demolition, the Fire Department access will remain clear and unobstructed. (MM)
- q. The width of private roadways for general access use and fire lanes shall not be less than 20 feet clear to the sky. (MM)

- r. No building or portion of a building shall be constructed more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane. (MM)
- s. The on-site water delivery system shall be improved to the satisfaction of the Fire Department prior to occupancy. (MM)
- t. All first-story portions of any commercial building shall be within 300 feet of an approved fire hydrant. (MM)
- u. Fire lanes and dead-ending streets shall terminate in a cul-de-sac or other approved turning area. No dead-ending street or fire lane shall be greater than 700 feet in length without a secondary access being provided. (MM)
- v. All access roads, including fire lanes, shall be maintained in an unobstructed manner. The entrance to all required fire lanes or required private driveways shall be posted with a sign no less than three square feet in area in accordance with Section 57.09.05 of the Los Angeles Municipal Code. (MM)
- w. At least two different ingress/egress roads for each area, that will accommodate a major fire apparatus and provide for major evacuation during emergency situations, shall be required.
- x. Construction of any public or private roadway in the proposed development shall not exceed 15 percent in grade.
- y. Where access for a given development requires accommodation of a Fire Department apparatus, overhead clearance shall not be less than 14 feet.
- z. Access for LAFD apparatus and personnel to and into all structures shall be required.
- aa. Additional vehicular access may be required by the LAFD where buildings exceed 28 feet in height.
- bb. Where a fire apparatus will be driven onto the road level surface of the subterranean parking structure, the structure shall be engineered to withstand a bearing pressure of 8,600 pounds per square foot.
- cc. The design, location, and operation of gates, if any are within the industrial /office component of the project, shall be to the satisfaction of the LAFD and the Deputy Advisory Agency. Warning sign and lighting shall be installed and maintained satisfactory to the LAFD and the Department of

Transportation. The names and phone numbers of the current officers of the property owners association shall be submitted to the Fire Department, the police Department, and the Deputy Advisory Agency. All necessary permits shall be secured from the Department of Building and Safety and from other City agencies.

- dd. In order to provide assurance that the proposed common fire lanes and fire protection facilities for the project which are not maintained by the City are properly and adequately maintained, the subdivider shall record with the County Recorder, prior to the recordation of the final map, a covenant and agreement (Planning Department General Form CP-6770) to assure the following:
- i) The establishment of a property owners' association which shall cause a yearly inspection to be made by a registered civil engineer of all common fire lanes and fire protection facilities. Any necessary maintenance and corrective measures will be undertaken by the association or organization required above and is automatically subject to a proportionate share of the cost.
 - ii) The future owners of affected lots with common fire lanes and fire protection facilities shall be informed of their responsibility for the maintenance of the devices on their lots. The future owner and all successors will be presented with a copy of the maintenance program for their lot. Any amendment or modification that would defeat the obligation of said association as required hereinabove must be approved in writing by the Advisory Agency after consultation with the Fire Department.
 - iii) In the event that the property owners' association fails to maintain the common property and easements as required by the CC and R's, the individual property owners shall be responsible for their proportional share of the maintenance.
 - iv) Prior to any building permits being issued, the applicant shall improve, to the satisfaction of the Fire Department, all common fire lanes and install all private fire hydrants to be required.
 - v) The common fire lanes and fire protection facilities shall be shown on the final map.
- ee. Plot plans showing fire hydrants and access for each phase of the project must be approved by the LAFD prior to the recording of the final map for that

phase. Each phase shall comply independently with code requirements.

- ff. On-site construction activity that generates noise in excess of 75 dBA at a distance of 50 feet shall be limited to between 7:00 A.M. and 6:00 P.M. Monday through Friday and 8:00 A.M. and 6:00 P.M. on Saturdays. (MM)
- gg. All construction equipment shall be in proper operating condition and fitted with standard factory silencing features. (MM)
- hh. Sound blankets shall be used on all construction equipment for which use of sound blankets is technically feasible. (MM)
- ii. A minimum 8-foot high thematic wall shall be constructed between the southern boundary of Area 2 and adjacent residential properties as individual lots in this area are developed. Graffiti resistant paint shall be utilized in both sides of the wall. (MM)
- jj. Buildings within lots located adjacent to the residential area south of the project site shall be set back a minimum of 25 feet from the southerly property boundary of the project site. (MM)
- kk. That the subdivider consider the use of natural gas and/or solar energy and consult with the Department of Water and Power and Southern California Gas Company regarding feasible energy conservation measures.
- ll. All outdoor lighting shall be shielded and directed downward to the greatest extent possible taking into account the function of the proposed lighting. (MM)
- mm. Mercury-vapor street light fixtures shall not be utilized on any public or private streets included within the project. (MM)
- nn. Mercury-vapor exterior light fixtures shall not be utilized for outdoor lighting, unless substantial evidence supporting the need for mercury-vapor is presented to the Department of Building and Safety. (MM)
- oo. Effective structural and/or vegetative screening shall be provided between sensitive land uses (i.e., the 203rd Street residential area) and all parking lot/structure lighting or other large area, high-intensity broadcast lighting sources. (MM)
- pp. Exterior lighting shall be designed such that illumination is confined to the

project site or to areas which do not include sensitive uses. (MM)

- qq. Exterior windows shall be tinted or contain a light-reflective film to reduce visible illumination levels from the building. Windows facing residential areas shall be constructed such that they are not allowed to be opened. Developers of future projects within the proposed subdivision shall consult with the Department of Water and Power regarding light-reflective film which would not interfere with energy conservation goals.
- rr. Within 300 feet of the property lines of adjacent residences on the north side of 203rd Street, on-site building height shall be limited to 45 feet. (MM)
- ss. To mitigate the unavoidable loss of desirable trees on the site, the subdivider shall either replace all trees that require removal and are 12 inches or more in diameter on a 1:1 basis. Credit shall be given on a 1:1 basis for any tree preserved and relocated on-site. All trees are to be located on the site. Additionally, a maximum feasible number of trees shall be planted in the parkway, to the satisfaction of the Street Tree Division of the Bureau of Street Maintenance and the Advisory Agency prior to the issuance of a certificate of occupancy. All trees, both on site and in the parkway, shall be minimum 24 inch box trees. The Street Tree Division shall be notified of the commencement of grading operations not less than 10 days in advance. (MM)
- tt. All developed open areas on-site that are not used for buildings, walkways, and other hard scape shall be landscaped. (MM)

EIR No. 96-0090-SUB(ZV)(CUB)(DA)
SCH No. 96051050

MITIGATION MONITORING
AND
REPORTING PROGRAM

PROCEDURES

The Developer shall be obligated to provide certification, as identified below, to the appropriate monitoring agency and the appropriate enforcement agency prior to the issuance of site or building plans that compliance with the required mitigation measures has been effected. All departments listed below are within the City of Los Angeles unless otherwise noted. The responsible agency shall be the project applicant for all mitigation measures unless otherwise noted.

MONITORING AND REPORTING PROGRAM

A. EARTH

1. All grading shall be performed in accordance with the current City of Los Angeles Building Code and the requirements of the responsible agencies including, but not limited to, the Department of Building and Safety and the Bureau of Engineering.

Monitoring Phase:

Pre-Construction, Construction

Enforcement Agency:

Department of Building and Safety

Monitoring Agency:

Department of Building and Safety

5/5 (40 pps) 